7. Bar of jurisdiction.—No suit, prosecution or other legal proceeding shall lie against any person for anything which is in good faith done or intended to be done under the provisions of this Act.

8. Power to make rules.—The Central Government may make rules to carry out the purposes of this Act, and, in particular, for—

(*i*) regulating the manner in which any inquiry may be made by the Accounts Officer;

(*ii*) requiring security to be furnished by any person before payment of any sum is made to him under the provisions of this Act.

NOTIFICATION.

No. L.D. 3107—Legis. 2-50-56, Bangalore, dated the 15–18th January 1951.

Ordered that the accompanying Telegraph Wires (Unlawful Possession) Act, 1950 (LXXIV of 1950), published in the *Gazette of India*, Part II, Section 1, dated the 30th December 1950, be republished in the *Mysore Gazette*, for general information.

By Order of His Highness the Maharaja,

B. S. PUTTASWAMY,
Legal Remembrancer and Secretary to Government, Law Department.

GOVERNMENT OF INDIA.

MINISTRY OF LAW.

Received Assent on 28th December 1950.

THE TELEGRAPH WIRES (UNLAWFUL POSSESSION) ACT, 1950, (LXXIV OF 1950).

AN

ACT

to regulate the possession of telegraph wires and to provide for the punishment of the offence of unlawful possession thereof.

BE it enacted by Parliament as follows :—

1. **Short title, extent and commencement.**—(*1*) This Act may be called the Telegraph Wires (Unlawful Possession) Act, 1950.

(*2*) It extends to the whole of India.

(*3*) It shall come into force in any State on such date as the Central Government may, by notification in the Official Gazette, appoint for such State, and different dates may be appointed for different States.

2. Definitions.—In this Act,—

(*a*) "prescribed" means prescribed by rules made under this Act;

(*b*) "telegraph wire" means copper wire of any one of the following gauges commonly used in telegraph lines, namely, one hundred and fifty pounds per mile, two hundred pounds per mile or three hundred pounds per mile.

3. Duty to declare possession of telegraph wires.—Every person in possession of telegraph wires shall, within six months from the commencement of this Act, make a declaration in writing, in such form and to such authority as may be prescribed, stating the quantity of telegraph wires in his possession.

4. Duty to have telegraph wires converted or sold.—Every person in possession of telegraph wires which exceed ten pounds in weight shall, within one year from the commencement of this Act, have the whole of the quantity as is in excess of ten pounds converted into ingots:

Provided that it shall be open to any such person to sell the whole or any part of the telegraph wires in his possession at such price and to such authority as may be prescribed.

5. Penalty for unlawful possession of Telegraph wires.—Whoever is found or is proved to have been in possession of any quantity of telegraph wires which the court has reason to believe to be, or to have been, the property of the Posts and Telegraphs Department of the Central Government shall, unless he proves that the telegraph wires came into his possession lawfully, be punishable with imprisonment for a term which may extend to five years, or with fine, or with both:

Provided that where a person has made a declaration under section 3 in relation to any quantity of telegraph wires, the burden of proving in respect of the quantity so declared, that it came into his possession lawfully, shall not be on such person.

6. Penalty for contravention of provisions of section 3 or section 4.—Any person who fails to make a declaration as required by section 3 or fails to comply with the provisions of section 4 shall be punishable with imprisonment for a term which may extend to six months, or with fine, or with both.

7. Cognizance of offences.—(*1*) No court shall take cognizance of any offence punishable under this Act, save on complaint made by or under the authority of the Central Government or by an officer specially empowered in this behalf by that Government.

(*2*) No court inferior to that of a presidency magistrate or a magistrate of the first class shall try any offence punishable under this Act.

8. Power to make rules.—(*1*) The Central Government may, by notification in the Official Gazette, make rules to carry out the purposes of this Act.

(*2*) In particular, and without prejudice to the generality of the foregoing power, such rules may provide for all or any of the following matters, namely:—

(*a*) the form in which, and the authorities to which, declarations under section 3 may be made;

(*b*) the authorities to which, and the prices at which, telegraph wires may be sold under section 4.